

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY


(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 17 JUN 2005

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Applicant's or agent's file reference P27406Wo Mkö		FOR FURTHER ACTION		See Form PCT/PEA/416
International application No. PCT/EP2004/000798		International filing date (day/month/year) 29.01.2004	Priority date (day/month/year) 20.03.2003	
International Patent Classification (IPC) or national classification and IPC G06F1/00				
Applicant SONY ERICSSON MOBILE COMMUNICATIONS AB				
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 7 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau a total of 2 sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (Indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>				
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>				
Date of submission of the demand 05.01.2005		Date of completion of this report 20.06.2005		
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016		Authorized Officer Ciarelli, N Telephone No. +31 70 340-2565		



**INTERNATIONAL PRELIMINARY REPORT
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Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

Description, Pages

1-6 as originally filed

Claims, Numbers

1-6 filed with the demand

Drawings, Sheets

1/2-2/2 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing
3. ☒ The amendments have resulted in the cancellation of:
- ☐ the description, pages
 - ☒ the claims, Nos. 7-9
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-6
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-6
Industrial applicability (IA)	Yes: Claims	1-6
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

Re Item V

**Reasoned statement with regard to inventive step; citations and explanations
supporting such statement**

1. Reference is made to the following documents:

**D1: US 2003/004875 A1 (KRAMER GERALD ARTHUR ET AL) 2 January
2003 (2003-01-02);**

**D2: US 2002/064096 A1 (YOSHITAKA UKITA ET AL) 30 MAY 2002 (2003-
05-30).**

- 1.1 The documents D2 was not cited in the international search report. A copy of the document is appended hereto.
2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 does not involve an inventive step in the sense of Article 33(3) PCT.
- 2.1 The document D1 is regarded as being the closest prior art to the subject-matter of claim 1, and discloses (the references in parentheses applying to this document):

An equipment comprising a system clock which includes "...an oscillator and other hardware which in combination implement a conventional date and time clock..." for the equipment (see page 2, § [0028]). Hence the system clock includes an RTC, which is nothing else than an oscillator and other hardware implementing a date and time clock, for generating real time information.

Furthermore the system clock of D1 can be modified by adding a (negative) offset (see page 8, § [0073]). It thus includes also a system time generator generating system time information by adding an offset to the real time information given by the RTC.

The possible changes of the system time information generated by the system time generator is limited to a preset time range (see page 8, § [0073]).

The equipment of D1 stores (has installed) on a non-volatile memory a program assurance application which comprises a date stamp. The equipment of D1 determines if the system clock has been set backwards (e.g. reset) if the date indicated by the system clock is earlier than the date indicated by the date stamp of the program assurance application (see page 8, § [0067]).

2.2 Therefore D1 discloses an equipment comprising:

- a real time clock RTC integrated in the equipment for generating a real time information;
- a system time generator integrated in the equipment for generating a system time information by adding an offset to the real time information given by the RTC;
- output means for outputting the system time information generated by the system time generator;
- a non-volatile memory for the permanent storage of data;
- input means for inputting instructions for changing the system time information whereby the input means are enabled to input a time value for the RTC
- decision means for limiting the possible changes of the system time information generated by the system time generator to a preset range, whereby the decision means of D1 checks if the reset time value input by a user is later than the last time information of the RTC stored in a memory and, in case the input time value passes the check, the RTC is set to the new time according to the reset time value (see page 8, § [0072]-[0074]).

2.3 Therefore the subject-matter of claim 1 differs from the equipment of D1 only in that:

- a) according to claim 1 the equipment is mobile whereas D1 is silent about this feature;
- b) according to claim 1 the real time information from the RTC is stored periodically in a non-volatile memory and the decision means are enabled to is perform the check operation by comparing the time value entered by the user with the last time information of the RTC stored in the non-volatile memory whereas D1 does not refer to a non-volatile memory storing the real time information from the RTC and consequently D1 does not refer to a check

operation involving such a memory.

2.4 The interactions of above differences a) and b) do not produce a synergistic effect, i.e. their functional interaction does not achieve a combined technical effect which is different than the sum of the technical effects of each of the two differences. Therefore differences a) and b) represent merely a juxtaposition of features and will be examined separately.

2.5 Difference a)

A skilled person would recognize that the problem addressed by the disclosure of D1 is common to all types of computers. Therefore a mobile equipment is merely one of several straightforward computer types from which the skilled person would select, in accordance with circumstances, without the exercise of inventive skill.

2.6 Difference b)

The RTC of D1 is operated from battery power (see col.2, [0028]).

It is well-known that batteries need to be replaced, in which case the information stored in the RTC would be lost. As a consequence the decision means, which are based on an up-to-date time storage, would not be able to perform correctly the checks of page 8, §[0067]. In fact, the skilled person would recognize that by interrupting the power supply to the RTC, the system time would be reset thus, de facto, set backwards and eventually the check system circumvented.

This problem is common in the field of DRM. The obvious solution of storing periodically the system time in a non-volatile memory is also well known. An example of such a solution can be found in D2 (see e.g. page 1, [0007]; page 5, [0070]; page 6, [0086]).

Consequently, a skilled person confronted with above problem would implement the equipment such that the real time information is stored periodically in a non-volatile memory and the decision means are enabled to perform the check operation by comparing the time value entered by the user with the last time information of the RTC stored in the non-volatile memory, as claimed in claim 1.

2.7 Thus, claim 1 can not be considered to involve an inventive step.

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3. The additional features introduced by dependent claims 2-6 are concerned with minor technical aspects that fall within the competence of a person skilled in the art. Therefore claims 2-6 do not contain any features which, in combination with the features of any claim to which they refer, meet the criteria of the PCT in respect of inventive step.

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PCT/EP04/00798

New Claims

1. Mobile equipment (1) for non stationary use, comprising
a real time clock RTC (7) integrated in the mobile equipment (1) for generating a real time information,
a system time generator (9) integrated in the mobile equipment for generating a system time information by adding an offset to the real time information given by the RTC (7),
an output means (3) for outputting the system time information generated by the system time generator (9),
a non-volatile memory (8) for the permanent storage of data and
an input means (4) for inputting instructions for changing the system time information, and
decision means (6) for limiting the possible changes of the system time information generated by the system time generator (9) to a preset time range and
characterized in,
that the real time information of the RTC (7) is stored periodically in the non-volatile memory (8), whereby said input means (4) enables a user to input a reset time value for said RTC (7) in case that the real time information from the RTC (7) has been lost, whereby said decision means (6) checks if the reset time value input by a user is later than the last time information of the RTC (7) stored in the non-volatile memory (8) and, in case the input reset time value passes the check, the RTC (7) is set to the new time according to the reset time value.
2. Mobile equipment (1) according to claim 1,
characterized in,
that the input reset time value is stored in the non-volatile memory (8).
3. Mobile equipment (1) according to claim 1 or 2,
characterized in,
that a new system time input by a user is not allowed to differ from the real time information given by the RTC (7) by more than a predefined value.
4. Mobile equipment (1) according to claim 3,
characterized in,
that the predefined value is a fixed value in minutes.

5. Mobile equipment (1) according to claim 3 or 4,
characterized in,
that the predefined value is dependent from a given inaccuracy of the time information
generated by the RTC (7).

6. Mobile equipment (1) according to one of the claims 1 to 5,
characterized in,
that the system comprises a power supply (2) for the mobile equipment (1).